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#4

December 13, 2002

Annette S. Parent
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In re application of:
Skeiky et al DECISION ON PETITION
Serial No.: 09/886,349
Filed: June 20, 2001
For: FUSION PROTEINS OF MYCOBRACTERIUM TUBERCULOSIS

This is a decision on the petition received on August 12, 2002, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed September 20, 2001. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned October 23, 2001.

On August 12, 2002, the office received a communication from the attorney of record. Enclosed was an acknowledgment that the attorney never received the Notice to File Missing Parts mailed on September 20, 2001.

The evidence submitted is sufficient to establish that the petitioners never received the Notice to File Missing Parts mailed on September 20, 2000.

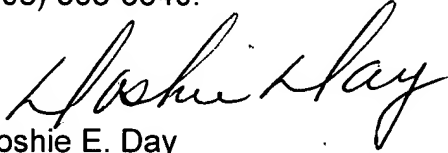
The petition is hereby GRANTED.

The office regrets any inconvenience this may have caused the client.

The petition fee will be returned to counsels Deposit Account 20-1430.

The application has been completed for release to Technology Center 1642.

Telephone inquiries concerning this matter may be directed to Doshie E. Day at (703) 308-3640.

A handwritten signature in cursive script, appearing to read "Doshie E. Day".

Doshie E. Day
Program Management Assistant
Office Initial Patent Examination